

***Codilis & Moody, P.C.***

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**ATTORNEYS FOR SECURED CREDITOR**

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

IN RE:	§	CASE NO. 22-20164
Veronica Saenz	§	
<b>DEBTOR</b>	§	CHAPTER 13

**PHH Mortgage Corporation's OBJECTION TO CONFIRMATION**

(Related to Docket No. 15)

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

**Deutsche Bank National Trust Company, as Trustee for Morgan Stanley ABS Capital I Inc. Trust 2006-HE5, Mortgage Pass-Through Certificates, Series 2006-HE5, ITS SUCCESSORS AND ASSIGNS ("PHH")**, secured creditor and party in interest in the above referenced case, files this Objection to Confirmation. In support of its Objection, PHH respectfully shows:

1. PHH retains a purchase money security interest in the real property located at 525 POENISCH DRIVE, CORPUS CHRISTI, TX, 78412. PHH intends to file its Proof of Claim with proper documentation for \$85,985.20 in pre-petition arrearages on the debt owed to it.
2. The Chapter 13 Plan provides for pre-petition arrearages in the amount of \$0.00 to PHH.
3. The Plan as proposed does not adequately comply with 11 U.S.C §1322(b)(2) and (5) as it does not adequately protect PHH's interest in this collateral.
4. The Plan does not comply with 11 U.S.C §1325(a)(6) because it is not feasible as it does not adequately fund payment in full of PHH's prepetition arrearage claim.
5. The Plan does not comply with 11 U.S.C. § 1325(a)(3) as it has not been proposed in good faith.

WHEREFORE, PHH respectfully requests an Order sustaining its Objection to Confirmation and for such other relief to which PHH may show itself justly entitled, either at law or in equity.

Respectfully submitted,

***Codilis & Moody, P.C.***

By: /s/ Kathryn N. Dahlin

Kathryn N. Dahlin SBOT#24053165

Nicole Bartee SBOT#24001674

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NOTE: Pursuant to the Fair Debt Collection Practices Act you are advised that this law firm is deemed to be a debt collector attempting to collect a debt and any information obtained will be used for that purpose.

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Objection to Confirmation was served on August 3, 2022 to the following parties at the addresses indicated by deposit in the United States Mail, first class postage prepaid, and/or by electronic notice on August 4, 2022.

Veronica Saenz  
525 Poenisch Dr  
Corpus Christi, TX 78412  
**DEBTOR**

TIMOTHY D RAUB  
814 LEOPARD  
CORPUS CHRISTI, TX 78401  
**ATTORNEY FOR DEBTOR**

YVONNE V VALDEZ  
555 N. Carancahua, Suite 600  
Corpus Christi, TX 78401  
**CHAPTER 13 TRUSTEE**

UNITED STATES TRUSTEE  
515 RUSK SUITE 3516  
HOUSTON, TX 77002

**PARTIES REQUESTING NOTICE:**

PHH Mortgage Corporation  
1 Mortgage Way  
Mount Laurel, NJ 08054  
**SECURED CREDITOR**

Nueces County  
C/O Diane W. Sanders  
LINEBARGER GOGGAN BLAIR & SAMPSON, LLP  
PO Box 17428  
AUSTIN, TX 78760-7428

*Codilis & Moody, P.C.*

/s/ Kathryn N. Dahlin  
Kathryn N. Dahlin SBOT#24053165  
Nicole Bartee SBOT#24001674  
Rachael A. Stokas ARDC#6276349  
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